

REMARKS

Claims 57-158 remain pending after amendment.

Claim Amendments

By this amendment, new independent composition claims are presented which each require the presence of a source of assimilable sulphur. Various preferred embodiments are recited in the newly-presented claims, with claims otherwise generally corresponding to those previously presented. No new matter is added by this amendment.

Allowable Subject Matter

During the interview of July 29, 2004, the Examiner indicated that the composition claims would be allowable if amended to recite the presence of a source of assimilable sulphur. In response, the independent composition claims are restricted to the embodiment where a sulphur source is present.

However, the pending method claims (with the exception of certain dependent claims) are not so limited.

In this regard, applicants note that the Wawretschek and Verde references make no mention regarding the treatment of cancer. The Jackson reference refers only to supplementing the micronutrient and phytochemical needs of women to prevent or

reduce the risk of a number of conditions, but only including some cancers. Riley refers to supplementing the vitamin and mineral intake of humans to improve public health. Such improvement in the general health of the public leads to a reduction in the risk of conditions including cancer, but does not qualify as cancer treatment as claimed. . Bounous discloses a composition that can enhance resistance to colon carcinoma. It thus appears that there is no disclosure in any of these references regarding the actual treatment of cancer itself. Indeed, there is no reason for the skilled person to believe that such compositions would also be useful in the actual treatment of cancer, e.g. in reducing the size of tumours, etc.

As a result of the above amendments, it is believed that all claims are now directed to allowable subject matter. All outstanding rejections are accordingly believed moot and should be withdrawn.

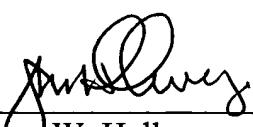
Applicants reserve the right to file a divisional application to subject matter not presently claimed.

The application is now believed to be in condition for allowance, and an early indication of same is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

James W. Hellwege

Reg. No. 28,808

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000